

1 UNITED STATES DISTRICT COURT
2 DISTRICT OF NEVADA

3 FRANCISCO VIDAL,

4 Plaintiff

Case No. 2:19-cv-01491-RFB-BNW

ORDER

5 v.

6 GRAM, et al.,

7 Defendants
8

9 **I. DISCUSSION**

10 Plaintiff, who is an inmate in the custody of the Nevada Department of Corrections
11 ("NDOC"), has submitted a civil rights complaint under 42 U.S.C. § 1983. (ECF No. 1-1).
12 Plaintiff has neither paid the full filing fee for this matter nor filed an application to proceed
13 *in forma pauperis*.

14 Under 28 U.S.C. § 1915(a)(2) and Local Rule LSR 1-2, Plaintiff must complete an
15 application to proceed *in forma pauperis* and attach both an inmate account statement
16 for the past six months and a properly executed financial certificate. Plaintiff will be
17 granted an opportunity to file an application to proceed *in forma pauperis*, or in the
18 alternative, pay the full filing fee for this action. If Plaintiff chooses to file an application
19 to proceed *in forma pauperis* he must file a fully complete application to proceed *in forma*
20 *pauperis*, including both an inmate account statement for the past six months and a
21 properly executed financial certificate. The Court will retain Plaintiff's civil rights complaint
22 (ECF No. 1-1), but will not file it until this matter is resolved.

23 **II. CONCLUSION**

24 For the foregoing reasons, IT IS ORDERED that the Clerk of the Court WILL SEND
25 Plaintiff the approved form application to proceed *in forma pauperis* by a prisoner, as well
26 as the document entitled information and instructions for filing an *in forma pauperis*
27 application.

28 IT IS FURTHER ORDERED that within **thirty (30) days** from the date of this order,

1 Plaintiff must either: (1) file a fully complete application to proceed *in forma pauperis*, on
2 the correct form, including both an inmate account statement for the past six months and
3 a properly executed financial certificate, in compliance with 28 U.S.C. § 1915(a); or (2)
4 pay the full \$400 fee for filing a civil action (which includes the \$350 filing fee and the \$50
5 administrative fee).

6 IT IS FURTHER ORDERED that if Plaintiff does not timely comply with this order,
7 dismissal of this action may result.

8 IT IS FURTHER ORDERED that the Clerk of the Court will retain the complaint
9 (ECF No. 1-1) but will not file it at this time.

10
11 DATED: September 4, 2019

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14 UNITED STATES MAGISTRATE JUDGE